

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELIZABETH ANNE PARRY,
Plaintiff,

-v-

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,
Defendant.

20-CV-3827 (JPO)

ORDER ADOPTING REPORT AND
RECOMMENDATION

J. PAUL OETKEN, District Judge:

Elizabeth Anne Parry brings this action against the Commissioner of the Social Security Administration (“the Commissioner”), seeking a review of the Commissioner’s denial of her claims for disability benefits and supplemental security income benefits. (Dkt. No. 1.) Parry moved for remand for further administrative proceedings before the Commissioner. (Dkt. No. 10.) The Commissioner cross-moved for judgment on the pleadings. (Dkt. No. 23.) On April 5, 2021, the Court referred this matter to Magistrate Judge Kevin Nathaniel Fox. (Dkt. No. 21.)

Judge Fox conducted a thorough and careful review of the record and issued a Report and Recommendation (the “Report”) that this Court: (1) grant Parry’s motion and remand this matter to the Commissioner and (2) deny the Commissioner’s motion for judgment on the pleadings. (Dkt. No. 26 at 22.) The Court has reviewed the Report.

No party filed a timely objection to the Report; therefore, the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee’s Notes (1983) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *see also Borcsok v. Early*, 299 F. App’x 76, 77 (2d Cir. 2008). Magistrate Judge Fox’s well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

Accordingly, this matter is remanded to the Commissioner for further administrative proceedings and the Commissioner's motion for judgment on the pleadings is denied

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: March 29, 2022
New York, New York



J. PAUL OETKEN
United States District Judge